

KAWASAKI & CO

PATENT ATTORNEY

KEIHAN MARQUIS UMEDA 606

5-5 NISHITEMMA 4-CHOME KITAKU OSAKA 530 JAPAN

Telephone (06)-6361-2607, Facsimili (06)-6361-2608 (G II, G III)

JACOBSON, PRICE, HOLMAN & STERN

THE JENIFFER BUILDING

400 SEVENTH STREET, N.W.

WASHINGTON, D.C. 20004

TEL (202) 638-6666 FAX (202) 393-5350

Your ref : 19051.072

New ref : 12105/P64708USO

Our ref: PCT-98-10277(US)

February 2, 2001

Re: Declaration

U.S. Patent Application Serial No. 09/403,603

Title : Electrode and Cell

Inventor(s): ARIMA et al.

Dear Mr. Nathaniel A. Humphries :

Thank you very much for your facsimi letter relating to the New Declaration of the above-identified application dated January 31, 2001 .

In the present situation, Mr. TSKAMOTO Hisashi would not completely sign and he would not explain the reasons by mail or by oral .

Relating to the circumstance that Why Mr. TSKAMOTO Hisashi refused to sign to the New Declaration, there are next facts ;

- (1) Mr. TSKAMOTO Hisashi retired the company (Japan storage Battery Co., Ltd.) November 1998 .
- (2) The reason of to retire the company was taking over his father's company. The company has no relationship to the Japan storage Battery Co., Ltd.
- (3) However, just after retiring the company he has started competitive business to the before working company (Japan storage Battery Co., Ltd.).

ACKNOWLEDGED

WITH THANKS

JACOBSON, PRICE, HOLMAN & STERN

DATE 2/2/01

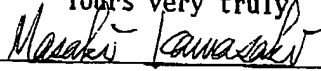
Still more, he has enticed three engineers away from the before working company .

Therefore, between Mr.TSKAMOTO Hisashi and the company(Japan storage Battery Co.,Ltd.) is now in opposite relationship .

(4) The above-mentioned three engineers ,when they were retiring the company, it was found out that they ran away with confidential documents. And between the Japan storage Battery Co.,Ltd. and these three engineers is now legal competition .

We guess that the reason that Mr.TSKAMOTO Hisashi refused to sign to the New Declaration may be caused by the above-mentioned facts .

Yours very truly,



Masaki KAWASAKI (Patent attorney)

Reg No. 9060 (Japan)